



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2306390  
**Applicant Name:** Douglas Hannam  
**Address of Proposal:** 501 NE 65<sup>th</sup> St

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into four (4) lots (unit lot subdivision). Proposed lot sizes are approximately: A) 1512 square feet, B) 888 square feet, C) 888 square feet and D) 1913 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: establish use as and construct one four-unit townhouse structure and occupy per plan all under MUP No. 2204429 Permit No. 735348.

The following approval is required:

Short Subdivision - to subdivide one (1) existing parcel into four (4) lots as a unit lot subdivision. (Chapter 23.24, Seattle Municipal Code).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

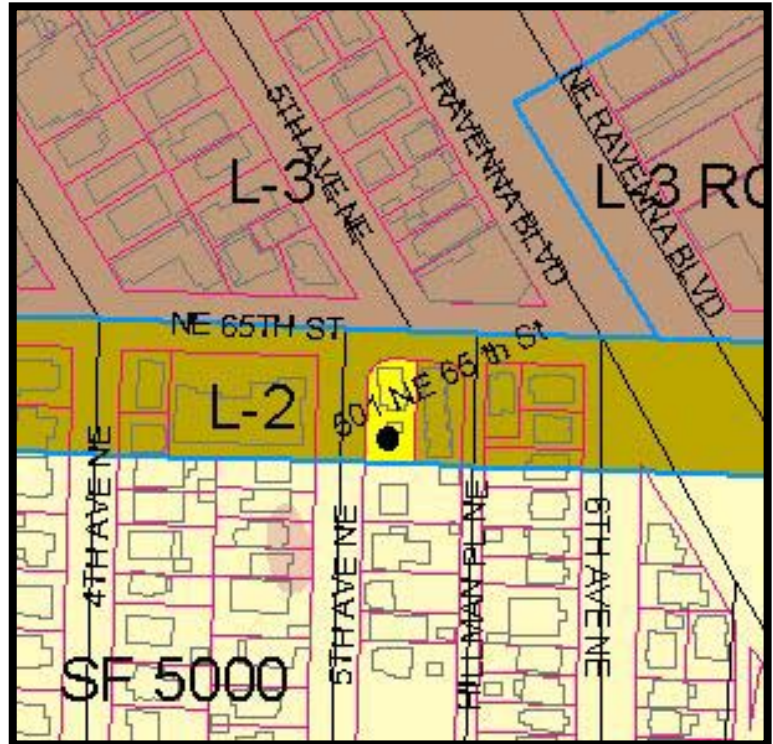
☐ DNS involving non-exempt grading, or demolition, or  
involving another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site Description**

The approximately 5,200 square foot property is located between 5<sup>th</sup> Ave NE and Hillman Pl NE, just south of NE 65<sup>th</sup> St in the Ravenna/Green Lake area of Seattle. Vehicle access to the site is from 5<sup>th</sup> Ave NE via two (2) ten (10') foot curbcuts, which provide access to the parking spaces within each unit. The four (4) unit townhouse structure has been reviewed for applicable code compliance, all under MUP No. 2204429 Permit No. 735348.

The subject lot is zoned Multi-family Lowrise 2 (L2). In the immediate vicinity to the north and northeast, lots are zoned Lowrise Three (L3) and Lowrise Three Residential-Commercial (L3-RC) respectively. To the south, lots are zoned Single-Family 5000 (SF 5000). Development in the immediate vicinity consists of one and two-story single-family dwelling units to the south, with small scale and some larger scale multi-family structures in the immediate vicinity to the north and west. Also, the subject site is in close proximity to the commercial area of Green Lake and has easy access to Interstate 5.



### **Proposal**

The proposal is to subdivide one parcel into four (4) unit subdivision lots with vehicle access provided via two (2) ten (10') foot curbcuts off of 5<sup>th</sup> Ave NE. The four (4) new townhouse units will have parking within the structure. Proposed lot sizes are as indicated in the summary above. Unit lot A has direct pedestrian access to both NE 65<sup>th</sup> St and 5<sup>th</sup> Ave NE, which are both paved & improved with sidewalks, concrete curbs, and gutters. Unit lots B, C and D have direct pedestrian access to 5<sup>th</sup> Ave NE.

### **Public Comments**

The comment period for this proposal ended on October 8<sup>th</sup> 2003. During the public comment period, DPD received two written comments. The comments were related to concerns about parking availability and the absence of public notice for the construction of the townhouses.

## **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, the Structural Reviewer, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for multi-family Lowrise 2 (L2) use. The allowable density of the subject property is one unit per one-thousand (1,200) two-hundred square feet of lot area. Given a lot area of approximately 5,200 square feet, four (4) units are allowed and four (4) are proposed. Maximum lot coverage is fifty (50%) percent, in this case fifty (50%) is proposed. Front setbacks are an average of the setbacks of the first principal structures on either side, the maximum required setback is fifteen (15') feet and the minimum is five (5') feet. The minimum side setback is five (5') feet; the actual required setback is based on the structure depth and height of the facade adjacent to the

side property line. Rear setback is twenty (25') five feet or twenty (20%) percent of the lot depth, in no case less than fifteen (15') feet, in this case the rear setback is twenty one (21' 4") feet four inches feet measured from the rear property line. The parent parcel as a whole provides adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise 2 (L-2) zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#250408-2-003) to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on September 18<sup>th</sup>, 2003 (WAC ID No 2003-1025). There is a standard eight (8") inch CIP CLC LID water main located in 5<sup>th</sup> Ave NE which serves the site. There is an eight (8") inch public combined sewer (PSS) located in 5<sup>th</sup> Ave NE and a twelve (12") inch (PSS) located in NE 65<sup>th</sup> St. Stormwater runoff from new construction on all proposed lots will be discharged to one of the noted PSSs. A shared detention with controlled release will be required. The unit lot subdivision does not include adequate easements for this purpose. Plan review requirements were made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities

and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing tree;*

Tree retention or planting was required under the construction permit. No additional trees are expected to be removed as a result of this subdivision. Therefore the plat is designed to maximize the retention of existing tree.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

One four-unit townhouse structure on the subject site is currently being developed. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under MUP No. 2204429 Permit No. 735348. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for unit lot subdivisions.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This unit lot subdivision is not for multiple single-family dwellings and therefore this section does not apply.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision (#250408-2-003).
4. Record easements allowing for a shared drainage/sewer detention system from either 5<sup>th</sup> Ave NE or NE 65<sup>th</sup> St.
5. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.

Signature: \_\_\_\_\_ (signature on file) Date: March 4, 2004

Lucas DeHerrera, Land Use Planner  
Department of Planning and Development  
Land Use Services

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